



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,385	03/12/2001	Edwin George Watson	EGW-001	1037

7590 02/24/2005

EDWIN G. WATSON
901 NEW YORK AVE.
CHERRY HILL, NJ 08002

EXAMINER

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
----------	--------------

2179

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/804,385

Applicant(s)

WATSON, EDWIN GEORGE

Examiner

Truc T Chuong

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-36 and 41-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-36 and 41-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to Amendment, filed 11/28/04.
2. Claims 21-36, and 41-44 are pending in this application. Claims 21-23, 30, and 41 are independent claims. In Amendment, all claim are amended, claims 37-40 are cancelled, and claims 41-44 are new claims. This action is made non-final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 21-28, 30-35, and 41-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Simonson (U.S. Patent No. 6,803,930 B1).

As to claim 21, Simonson teaches a method of displaying data in an information display system having a display area, a processor, and at least one displayable data set for displaying on said display area, where said displayable data set is larger than said display area, comprising the steps of:

- determining the display status of said displayable data set, said status includes noting whether or not any portions of said data set have been displayed at least once, in at least one section of said display area, whereby display status is determined by

Art Unit: 2179

reviewing said displayable data set for which displayed data has been displayed at least once, in at least one section of the display area, as compared to undisplayed data which has not been previously displayed (a virtual indication within or adjacent to the displayed content distinguishing the first and second content portions, e.g., col. 4 lines 23-32, col. 5 lines 20-27, and figs. 7, 8, 12a);

- during data display, marking said-displayed data, to appear visually different according to said display status, whereby said display status, whereby said displayed data is marked base on the determined display status, to visually differentiate on screen said data which has been displayed at least once, in at least one section of a display screen, from data which has not been previously displayed, and is newly displayed data as a result of a display command (e.g., col. 7 lines 1-30, and command, col. 7 lines 35-45).

As to claim 22, this is a system claim of method claim 21. Note the rejection of claim 21 above.

As to claim 23, Simonson teaches a method of displaying data in an information display system having a display area, a processor, and at least one displayable data set for displaying on said display area, said displayable data set having dimensions larger than said display area comprising the steps of:

- determining the display status of said displayable data set, said status includes noting whether or not my portions of said data set have been displayed at least once in at least one section of said display area, whereby display status is determined by reviewing said displayable data set for which displayed data has

Art Unit: 2179

been displayed at least once, in at least one section of the display area, as compared to undisplayed data which has not been previously displayed (e.g., col. 4 lines 23-32, col. 5 lines 20-27, col. 7 lines 1-30, and figs. 7, 8, 12a);

- during the process of displaying at least a portion of said displayable data set in said display area marking said displayed data to appear visually different according to said display status, whereby said displayed data is marked based on the determined of display status, to visually differentiate on screen said data which has been displayed at least once in at least one section of the display area from data which has not been previously displayed, and is newly displayed data as a result of a display command (e.g., col. 7 lines 1-30, and command, col. 7 lines 35-45);
- repeating the steps of determining display status of said displayable data set and marking said displayed data according to said displayed status for any subsequent displaying of data (the size of such a directional artifact might indicate the relative distance to the previous portion, such that a small arrow might indicate a nearby portion, and a large arrow might indicate a distant portion, e.g., col. 9 lines 5-32), whereby each time a display area change occurs, the display status of said displayable data set is re-determined, and in turn, said marking of said displayed data based on said re-determined display status is also updated (fig.9 shows the steps repeatedly provide visual differentiation between previously viewed and newly presented content, e.g., col. 7 line 35-col. 8 line 9).

Art Unit: 2179

As to claim 24, Simonson teaches the method according to claim 23, wherein the step of marking further includes shading over said displayed data (changing in size, brightness, color, highlight, e.g., col. 9 lines 24-53, and figs. 12a and 13b).

As to claim 25, Simonson teaches the method according to claim 23, wherein the step of marking further includes spacing changes between displayed data said visual difference is achieved by displaying data with changed spacing between elements (changing in size, it can be discussed under similar rationale as claim 24 above).

As to claim 26, Simonson teaches the method according to claim 23, wherein the step of marking further includes varying the persistence or time that said marking is displayed whereby said marking can fade away from said display area after a certain amount of elapsed display time or otherwise commanded to do so (artifacts might fade over time, so that they are less likely to disturb users reading the document, e.g., col. 9 lines 25-32, col. 10 lines 1-7, and col. 11 lines 31-35).

As to claim 27, Simonson teaches the method according to claim 23, wherein the step of marking further includes outlining or framing of displayed data (indicate the boundary, e.g., col. 7 lines 15-25, and fig. 7).

As to claim 28, Simonson teaches the method according to claim 23, wherein the step of marking further includes converting marked data to selected data for use in an editing system the results of said display status marking can be converted to selected data in conjunction with an editing system (the techniques described here can be implemented to be selectable as user preferences. For example, the user could choose from a selection of options corresponding to each of the techniques supported by the application. The user could then select those options that

Art Unit: 2179

improve his ability to use the application to view and modify the content, e.g., col. 10 lines 50-64, and col. 11 lines 38-44).

As to claims 30-35, they are system claims of method claims 23-28. Note the rejections of claims 23-28 above respectively.

As to claim 41, Simonson teaches a method of displaying data in an information display system having a display area, and a processor, comprising the steps of:

- providing at least one displayable data set to be displayed on said display area, said displayable data set having dimensions larger than said display area (fig. 7 shows a scroll bar to view a larger document than the viewer window, e.g., col. 5 lines 61-62);
- displaying a first section of the data set on said display area (figs. 12a and 13b);
- marking said first section of data (figs. 7, 12a and 13b);
- displaying a second section of the data set on said display area (figs. 7, 12a and 13b).

As to claim 42, Simonson teaches the method according to claim 41 wherein said second section is further comprised of at least a part of said first section and unmarked data, said first section is marked to appear different from said unmarked data (e.g., col. 9 line 52-col. 10 line 8, and figs. 12a-12b).

As to claims 43-44, they are system claims of method claims 41-42. Note the rejections of claims 41-42 above.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2179

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 29 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simonson (U.S. Patent No. 6,803,930 B1) in view of Gerace (U.S. Patent No. 5,848,396).

As to claim 29, Simonson teaches the method according to claim 23, comprising the display process, which sections of said data that were displayed, which sections of said data that were not displayed, elapsed time said sections of said data were displayed, number of times said sections of data were displayed (see the rejections of claims above); however, Simonson does not teach a step of collecting and processing statistics from those steps above for summarization or restart purposes. Gerace clearly teaches a user profile/history to keep track with viewing habits of the user (e.g., col. 2 lines 10-15, lines 36-67, and col. 3 lines 11-20). It would have been obvious at the time of the invention, a person with ordinary skill in the art would want to be able to have the user profile of Gerace in the virtual displayed indicator of Simonson to generate and display appropriate screen views to the users (e.g., col. 4 lines 53-55).

As to claim 36, this is a system claim of claim 29. Note the rejection of claim 29 above.

Response to Arguments

7. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2179

Davie et al. (U.S. Patent No. 5,973,665) teach highlighting display data, undisplay data, indicia, and scrolling (cols. 1-9 and figs. 2-7).

Ryan (U.S. Patent No. 6,154,752) teaches changing color, URLs, marking, and already visited (cols. 1-2 and figs. 2a-d).

Fukuda (U.S. Patent No. 6,338,075 B2) teaches a mark indicating that the document has already been read (cols. 2-5 and figs. 2, 5, 7, and 9).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

02/18/05


BA HUYNH
PRIMARY EXAMINER